**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/916,578 08/22/97 CLARK

A 2553.004

0232/1021

EDWARD W GOLDSTEIN  
TOBOR & GOLDSTEIN  
1360 POST OAK BLVD  
SUITE 2300  
HOUSTON TX 77056

NOT ASSIGNED

1502  
DATE MAILED:

10/21/97

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 150 for a  large entity  small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

*If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 large entity  small entity (verified statement filed), is \$ 150.*

1. The statutory basic filing fee is:

missing.  
 insufficient.

*Applicant must submit \$ 150 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).*

2. Additional claim fees of \$ 17, including any multiple dependent claim fees, are required.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

3. The oath or declaration:

is missing.  
 does not cover the newly submitted items.  
 does not identify the application to which it applies.  
 does not include the city and state or foreign country of applicant's residence.

*An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.*

4. The signature(s) to the oath or declaration is/are:

missing.  
 by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

PAUL WRIGHT & SUELA H. RATCLIFFE

*An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.*

6. A \$ 130 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

*See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."*

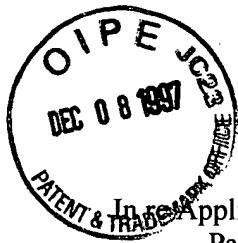
9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

00000166 08916578  
01/12/1998 EWILLIPE  
01 FC:105



sector

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application for Reissue of:  
Patent No. 5,443,833

Patentee: ANDREW R. CLARK  
PAUL WRIGHT  
JULIA H. RATCLIFFE

Issued: August 22, 1995

**For: PHARMACEUTICAL COMPOSITIONS**

Attorney Docket No.: 2553.004

## **TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**CERTIFICATE OF MAILING**  
**37 C.F.R. 1.8**

Enclosed for filing please find the following documents enclosed:

1. Notice to File Missing Parts of Application;
2. Reissue of Declaration of Julia Ratcliffe Under 37 C.F.R. 1.63 and 1.175(a);
3. Reissue of Declaration of Paul Wright Under 37 C.F.R. 1.63 and 1.175(a);
4. Check for \$130.00 for large entity fee; and
5. Return postcard.

If for any reason the check is missing or insufficient, the Commissioner is authorized to charge any additional fees which may be required (or credit any overpayment) to Deposit Account No. 20-1299; Order No. 2553.004/EWG.

If any additional informalities are identified by the Examiner, please contact the undersigned attorney at (713) 877-1515.

Respectfully submitted,

Edward W. Goldstein  
Reg. No. 22945  
TOBOR & GOLDSTEIN, L.L.P.  
1360 Post Oak Blvd., Suite 2300  
Houston, TX 77056  
Telephone: 713/877-1515  
Facsimile: 713/877-1145

# TOBOR & GOLDSTEIN

L.L.P.

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DARIN H. DUPHORNE  
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COLIN E. ERRINGTON  
PATRICIA A. MEIER  
\*MEMBER OKLAHOMA BAR

TELEPHONE (713) 877-1515  
FACSIMILE (713) 877-1145

1360 POST OAK BLVD.  
SUITE 2300  
HOUSTON, TEXAS 77056-3023

August 6, 1997

Dr. Julia Helena Ratcliffe  
Flat 2, 16 Crescent Road  
Alverstoke Gosport Hampshire  
PO12 DH  
ENGLAND

Via Federal Express

Re: U.S. Patent No. 5,443,833

Dear Dr. Ratcliffe:

Our firm represents Allergan, a company that is interested in acquiring rights to the above referenced patent from Fisons plc. However, it is Allergan's opinion that this patent should go through a reissue proceeding in the United States Patent and Trademark Office. Accordingly, we need to discuss the above referenced patent with you. Time is of the essence. Therefore, we request that you contact the undersigned immediately upon receipt of this letter.

Thank you for your cooperation in this matter.

Very truly yours,

TOBOR & GOLDSTEIN, L.L.P.

  
John T. Polasek

JTP/cbg  
F:\CLIENT\2\2553\004\LTR\03RAT.JTP

Exhibit "A"

# LEWIS & TAYLOR

Established 1868

CHARTERED PATENT ATTORNEYS · EUROPEAN PATENT ATTORNEYS  
REGISTERED TRADE MARK AGENTS  
LEICESTER · COVENTRY · NOTTINGHAM · CAMBRIDGE

OUR REF.

YOUR REF.

SAJ/P208US

John T Polasek  
Tobor & Goldstein  
1360 Post Oak Boulevard  
Suite 2300  
Houston  
Texas 77056-3023  
USA

15 August 1997

**BY FAX**

Dear Mr Polasek

Re: Application for Reissue of US 5,443,833

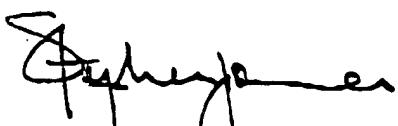
Enclosed please find the executed Declaration. The original is being returned by courier.

Incidentally, I understand that you were unable to contact Dr Ratcliffe, one of the inventors. I telephoned the Pharmaceutical Society of Great Britain and was given the following address:

Dr J H Ratcliffe  
15 Ipswich Road  
Woodbridge  
Suffolk  
IP12 4BS

Dr Ratcliffe's telephone number is ex-directory and I therefore have not been able to obtain it.  
I hope this information is of some assistance.

Yours sincerely



Stephen A Jones  
Lewis & Taylor

Exhibit "B"

# TOBOR & GOLDSTEIN

L.L.P.

*Attorneys at Law*

DOUGLAS H. ELLIOTT  
EDWARD W. GOLDSTEIN  
JOHN T. POLASEK  
BEN D. TOBOR

DARIN H. DUPHORNE  
BYRON G. BUCK  
C. DALE OUISENBERRY\*  
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August 15, 1997

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Woodbridge  
Suffolk  
IP12 4BS

Via Federal Express

Re: U.S. Patent No. 5,443,833

Dear Dr. Ratcliffe:

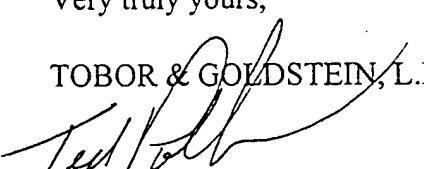
Our firm represents Allergan, a company that is interested in acquiring rights to the above referenced patent from Fisons plc. You were named as an inventor in this patent.

It is Allergan's opinion that this patent should go through a reissue proceeding in the United States Patent and Trademark Office. Accordingly, we need to discuss the above referenced patent with you. Time is of the essence. Therefore, we request that you contact the undersigned immediately upon receipt of this letter.

Thank you for your cooperation in this matter.

Very truly yours,

TOBOR & GOLDSTEIN, L.L.P.

  
John T. Polasek

JTP/cbg  
F:\CLIENT2\2553\004\LTR\03RAT.JTP

Exhibit "C"